

PATENT
Atty. Dkt. No. 96B011/4

#38
AW
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Brady, et al

Serial No.: 08/690,136

Confirmation No.: 9592

Filed: July 31, 1996

**For: Process of Adjusting WVTR
 of Polyolefin Film**

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**Group Art Unit: 1773**

Examiner: Tarazano, D.L.

**Attorney Docket No. 96B011/4**  
**February 20, 2003**

Commissioner for Patents  
Washington, D.C. 20231

**Dear Sir:**

**TERMINAL DISCLAIMER UNDER 37 CFR 1.321(c)**

Exxon Chemical Patents, Inc., of Wilmington, Delaware, owner of one hundred percent (100%) interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 on a U.S. Patent, U.S. Patent No. 6,258,308 B1, issuing from Serial No. 09/312,103, as shortened by any terminal disclaimer filed on same. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such patent granted on Serial No. 09/312,103 is commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 on the Patent issuing from Serial No. 09/312,103, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable,

is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate,

1. ☐ For submissions on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization in this matter.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.

The Commissioner is authorized to charge the fee of \$110.00 and any additional fees, which may be required for this submission to Deposit Account No. 05-1715.

Respectfully submitted,



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